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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,374	05/15/2001	Ramesh Keshavaraj	2086B	9494

7590  
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01/03/2007

EXAMINER

SINGH, ARTI R

ART UNIT

PAPER NUMBER

1771

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/855,374	<b>Applicant(s)</b> KESHAVARAJ, RAMESH	
	<b>Examiner</b> Ms. Arti Singh	<b>Art Unit</b> 1771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Response to Arguments*

1. The Examiner has carefully considered Applicant's remarks dated 10/05/06 but they are not found to be persuasive. The currently claims under prosecution are claims 1-8. No amendments were filed with the last response. Applicant's first traversal is that there was never any rejection or objection applied to the term or its meaning of what is meant by "substantially rectangular." This is incorrect as a 112-2 rejection was made (see paper dated 09/25/05 paragraphs 2-4) where clarity was asked. In fact this discussion has been had from this point forward and the Examiner stills believes that this term is so broad in its scope that any polygon which comes close in shape to a quadrilateral would read on "substantially rectangular."

Applicant's second traversal is with regard to the rejection made over EP 0 794 090 A1 and that it does not teach a combination/features of a first and second fabric blanks which are substantially rectangular and connected by at least a single seam, and that the office action does not state as to where these features are taught. Applicant is incorrect in their deduction. The Examiner did cite column and line in the rejection, however to facilitate prosecution Applicant is guided to column 4, lines 35 onwards where the instant patent describes the structure of the airbag and its components especially in figures 2 and 3. Said figures show substantially rectangular panels (42), which may or may not have the upper tab portion that is shown (48), thereby meeting the limitation of first and second fabric blanks that are substantially rectangular. The pieces may be sewn by at least one seam (56). This combination of panels is attached to the opening (26) attaches to the opening where the inflator is attached. Said components make up the airbag and in turn the vehicle restraint

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system, and thus all the limitations are met by a single reference and are anticipated by the reference.

Applicant's third traversal is with regard to the rejection made under 102(b) over Amamori USPN 6168203 and that the cited reference teach irregularly shaped panels and that this does not constitute a rectangular blank and thus does not anticipate the claims. It is the Examiner's position that the specification supports the notion that these panels are trapezoids in construction and thus are quadrilaterals. Both trapezoids and rectangles are quadrilaterals and therefore the Examiner still believes that these are only slightly off in configurations but still meets the limitation. Additionally, USPN 4944529 column 2, lines 34-26 are being provided to evidence the fact that the two configurations are used interchangeably in such dynamic fabrics. However, an artisan versed in the art would have found it obvious at the time the invention was made to have modified the trapezoidal panels to be substantially rectangular. One would have been motivated to modify the shape as an obvious design choice or if the air bag needed to be bigger in size (passenger or side curtain airbag).

Applicant's final traversal is over the 102 rejection made to USPN 4944529 issued to Backhaus and that their airbag is made from a single blank and not two, and that their embodiment only teaches a trapezoid and not a rectangular shape for a panel. To this the Examiner contends that Applicant is picking and choosing from the cited embodiments. Applicant is directed to the abstract, which specifically states that their airbag cushion is made from no more than two flat blanks cut from web material with little or no waste (abstract). Applicant is also directed to Column 2, lines 25-50 where in a preferred embodiment thereof, provides for an inflatable protective cushion comprising a pair of superposed quadrilateral and substantially congruent impact absorbing web members joined to each other along a first pair of opposite margins and extending at a second pair of opposite

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margins positioned angularly relative to said first pair into side web means folded substantially symmetrically along a fold line positioned between said web members. The quadrilateral web members may be of generally rectangular or trapezoidal configuration. The configuration of the side web means in their flat, spread-out state may be a rectangle, a trapezoid, a triangle, or a trapezium. Advantageously, upper and lower marginal portions of the side web means are joined to the first pair of opposite margins of the web members. The web members and the side web means may be integral with each other and may be formed into a cushion by no more than two horizontal seams joining said impact absorbing web members along said first pair of opposite margins and two seams extending at predetermined angles relative to said horizontal seams and joining said side web means. In a preferred embodiment, only one vertical seam is required which is advantageously positioned centrally of one of the quadrilateral web members. In a preferred embodiment the vertical seam is positioned centrally of the web member facing in the direction of potential impact. Thus, the arguments are not found to be persuasive and the rejections are maintained and made final.

***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by EP 0 794 090 A1 issued to Morton International. As set forth in the previous office action at paragraph 4 and for the reasons set forth above.
4. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6168203 issued to Amamori et al. as set forth in the previous office action at paragraph 5 and for the reasons set forth above.

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5. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4944529 issued to Backhaus as set forth in the previous office action at paragraph 6 and for the reasons set forth above.

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Arti Singh whose telephone number is 571-272-1483. The examiner can normally be reached on M-T 9-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ms. Arti Singh  
Primary Examiner  
Art Unit 1771

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